

U.S. Appl. No. 09/817,515
Reply to Office Action dated May 9, 2005

PATENT
450100-03081

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-6 and 8-11 are pending. Claims 1, 5, 6, 8, 10 and 11 are independent. Claim 7 is canceled without prejudice or disclaimer of subject matter. Claims 1, 5 and 6 are amended. Support for this amendment is provided throughout the Specification as originally filed and specifically at page 18, second paragraph. No new matter has been added. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §101

Claim 7 was rejected under 35 U.S.C. §101 as allegedly directed to unpatentable subject matter. Claim 7 has been canceled.

III. REJECTIONS UNDER 35 U.S.C. §102(e)

Claims 1 and 5-7 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,658,195 to Senshu et al. (hereinafter, merely "Senshu"). Claims 1, 5 and 7 were

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also rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,026,212 to Oguro (hereinafter, merely "Oguro").

Claim 1 recites, *inter alia*:

"the first group of data has a sector structure of a main data area storing said video data, said audio data, or said search data and a sync block header identifying the type of the main data."

Applicants respectfully submit that Senshu is not prior art because the U.S. filing date of March 29, 2000 is after Applicants' foreign priority date of March 27, 2000.

Thus, Applicants respectfully request the rejection based on Senshu be withdrawn. Oguro relates to a digital video recorder that permits frames to be searched and subcode data to be compiled in a single frame unit irrespective of whether the video data was recorded in the standard play (SP) or long play (LP) mode.

Applicants submit that claim 1 is not anticipated by Oguro because Oguro does not disclose each and every element of the present invention. In particular, Oguro fails to disclose, teach or suggest a sync block header to identify the type of data recorded in the main sector, as recited in claim 1.

Applicants respectfully request withdrawal of the 35 U.S.C. §102(e) rejection of claim 1.

Independent claims 5 and 6 are similar in scope and are patentable for similar reasons.

III. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 2-4 and 8-11 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Senshu in view of various combinations with U.S. Patent No. 5,574,570 to Ohkuma et al. (hereinafter, merely "Ohkuma") and U.S. Patent No. 5,940,016 to Lee (hereinafter, merely "Lee"). Applicants respectfully traverse these grounds for rejection because, as discussed above,

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Senshu is not prior art because the foreign priority date of the present application is prior to the filing date of Senshu.

Applicants respectfully request withdrawal of the 35 U.S.C. §103(a) rejection of claims 2-4 and 8-11.

Claims 1 and 5-7 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,426,538 to Kanota et al. (hereinafter, "Kanota"). Claim 6 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Kanota in view of Oguro.

As understood by Applicants, Kanota relates to rotary head recording/reproducing apparatus that permits an after-recording area to be established.

Applicants submit that claim 1 is not anticipated by Kanota because Kanota does not disclose each and every element of the present invention. In particular, Kanota fails to disclose, teach or suggest a sync block header to identify the type of data recorded in the main sector.

Applicants respectfully request withdrawal of the rejection of claim 1.

Regarding claim 6, Oguro fails to add the element missing from Kanota. Applicants respectfully request withdrawal of the 35 U.S.C. §103 rejection of claim 6.

Independent claim 5 is similar in scope and is patentable for similar reasons.

III. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

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CONCLUSION

Claims 1-6 and 8-11 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

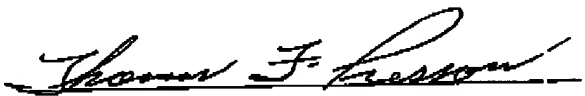
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In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issuance of the present application.

Respectfully submitted,

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